



Entered on Docket
October 13, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC

USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC

Debtors

Affects:
USA Commercial Mortgage Company

Case No.: BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

Chapter 11

Jointly Administered Under Case No.
BK-S-06-10725-LBR

Judge Linda B. Riegle

**ORDER APPROVING
APPLICATION TO
COMPROMISE AND SETTLE
CONTROVERSIES IN
ADVERSARY NO. 08-01125**

Hearing Date: October 5, 2009
Hearing Time: 9:30 a.m.

**ORDER APPROVING APPLICATION TO COMPROMISE AND SETTLE
CONTROVERSIES IN ADVERSARY NO. 08-01125**

1 On October 5, 2009, this Court held a hearing on the Motion for Approval of Settlement
2 Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure filed by the USACM
3 Liquidating Trust, over which this Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334,
4 and of which due notice was served to all parties entitled thereto in accordance with the
5 Bankruptcy Rules and this Court's Local Rules.
6

7 The Motion requested this court enter an order approving the Settlement Agreement and
8 Release dated July 17, 2009 between the USACM Trust and Eagle Ranch LLC (the "Proposed
9 Settlement"). It appearing that the relief requested in the Motion is in the best interest of the
10 Estate, the relief requested is hereby GRANTED.
11

12 Pursuant to the Motion this Court hereby GRANTS the following relief:

- 13 1. The Proposed Settlement is approved pursuant to Federal Rule of Bankruptcy
14 Procedure 9019.
- 15 2. This Court shall retain jurisdiction to interpret and enforce the terms of the
16 Settlement Agreement and this Order Approving Settlement.
- 17 3. Neither the Settlement Agreement, nor this Order has any effect on the USACM
18 Liquidating Trust's rights and claims against, or the liability of, any of the
19 following defendants in Adversary Number 08-01125, which has been removed to
20 federal district court for trial on the merits: (1) Willowbrook Residential LLC, (2)
21 Brentwood 128, LLC, (3) Ravenswood Apply Valley LLC, (4) Anthony Monaco,
22 (5) Susan Monaco, and (6) Monaco Diversified Corporation.
- 23 4. All outstanding motions, orders, and other filings currently pending in this matter
24 are hereby resolved as to Eagle Ranch LLC.
- 25 5. All appeals of this matter are hereby resolved as to Eagle Ranch LLC.
26

CERTIFICATION PURSUANT TO LOCAL RULE 9021

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

 The court has waived the requirement of approval under LR 9021

 No parties appeared or filed written objections, and there is no trustee appointed in the case.

 X I have delivered a copy of this proposed order to all counsel, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]

Dana Dwiggins

Approved 10-7-2009

DATED: October 7, 2009.

/s/ Michael J. Yoder

Michael J. Yoder

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